



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gary Searle

Application No.: 10/726,110

Filed: 12/02/2003

Title: MECHANICAL OCCLUDING AND DILATION
DEVICE FOR A VESSEL

Group Art Unit: 4782

Examiner: WEBB, SARAH K

Attorney Docket No.: 03-062-GS

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Dear Sir or Madam:

Please note that in response to the Office Action of January 20, 2006, a Notice of Appeal has been filed. A copy of the Notice of Appeal is enclosed with this communication.

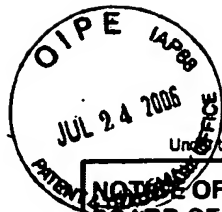
A three-month extension of time is required to file this response, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge the amount of \$510 and the filing fee for a Notice of Appeal of \$250 to Deposit Account No. 12-0115. Further, the Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit

Account No. 12-0115.

Adjustment date: 11/24/2006 CKHLOK
07/25/2006 NGUYEN1 00000040 120115 10064270
02 FC:2253 510.00 CR

07/25/2006 NGUYEN1 00000040 120115 10064270
02 FC:2253 510.00 DA

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01 FC:2253 510.00 DA



10 AF/4282

PTO/SB/31 (02-01)
Approved for use through 10/31/2002. OMB 08551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
02-070-MS

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on July 20, 2006

Signature

Typed or printed

Name George MacInnis

In re Application of Gary Searle

Application Number
10/064,270

Filed
12/02/2003

For MECHANICAL OCCLUDING AND DILATION
DEVICE FOR A VESSEL

Group Art Unit

4782

Examiner

WEBB, SARAH K

Should be
10/726,110

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 250.00

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

87/25/2006 HNGUYEN1 00000040 120115 10064270
81 FC:2401 250.00 DA

☐ The Director has already been authorized to charge any fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 12-0115. I have enclosed 3 copies of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

See

Signature

☒ attorney or agent of record.

Gary E. Lambert

Typed or printed name

☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____

(617) 720-0091

Telephone number

7/20/2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

* Total of 3 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231